



HON. SYLVIA O. HINDS-RADIX  
Corporation Counsel

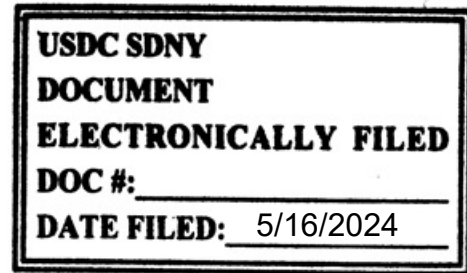
THE CITY OF NEW YORK  
LAW DEPARTMENT  
100 CHURCH STREET  
NEW YORK, NEW YORK 10007

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May 16, 2024

**BY ECF**

Honorable Robert W. Lehrburger  
United States Magistrate Judge  
United States District Court  
Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312



Re: Taylor v. New City Police Department et al.  
23 Civ. 10324 (JHR) (RWL)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and attorney representing Officer Rengel in the above-referenced matter. I write to respectfully request that the Court adjourn the initial conference currently scheduled for May 21, 2024 to a later date proposed herein or convenient to the Court for the reason stated herein. This is the first request of its kind. Counsel for Co-Defendant Kirk Robinson consents to this request. Consent from Plaintiff could not be readily obtained.<sup>1</sup>

By way of background, Plaintiff initiated this action pursuant to 42 U.S.C. § 1983 on November 21, 2023 against, *inter alia*, Officer Rengel, alleging his handcuffs were excessively tight after Plaintiff was arrested for driving while his ability was impaired. Dkt. No. 1, at 4. Plaintiff further alleges that her and Officer Ortiz used excessive force in removing Plaintiff from a police car. Dkt. No. 1, at 4. Plaintiff filed an Amended Complaint on April 8, 2024, apparently without permission of the Court and not in accordance with the Federal Rules of Civil Procedure adding Officer Ortiz as a defendant.<sup>2</sup> Dkt. No. 21. On March 27, 2024. Your Honor scheduled an initial conference for May 21, 2024 at 10 a.m Dkt. No. 17.

Defendant Rengel respectfully requests that the conference be adjourned to a later date as the undersigned was just assigned to this case on May 15, 2024 and has a previously-scheduled

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<sup>1</sup> The undersigned left a voicemail for Plaintiff at 9:16 a.m. this morning and have not heard back.

<sup>2</sup> Defendant Rengel intends to request that Judge Rearden reject this filing because it was made without permission of the Court. Alternatively, Defendant Rengel intends to request to be permitted to oppose Plaintiff's request to amend his complaint.

conflict on the date and time of the conference. Additionally, the undersigned would appreciate additional time to become familiar with the facts and issues presented in this case. After speaking to co-defense counsel, both defense counselors are fully available on June 10, 11, 13, and the afternoon of June 14 for a conference.<sup>3</sup>

Accordingly, Defendant Rengel respectfully requests that the Court adjourn the initial conference currently scheduled for May 21, 2024 to a later date proposed herein or convenient to the Court.

Thank you for your consideration of this request.

Respectfully submitted,

*Mary K. Sherwood*

Mary K. Sherwood

*Assistant Corporation Counsel*

Special Federal Litigation Division

CC: VIA US Mail  
Phillip Taylor, Sr.  
1458 Jesup Ave.  
#5  
Bronx, NY 10452

The conference currently scheduled for May 21, 2024 will be rescheduled. As the case has been referred to me for general pretrial purposes, any application regarding Defendant's concerns about Plaintiff's amended pleading should be directed to me.

SO ORDERED:

5/16/2024



HON. ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

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<sup>3</sup> These dates were not vetted by Plaintiff because the undersigned could not get in contact with him.